

In re application of: Jerald C. Seelig et. al.

Serial number: 10/663,121

Page 8

In the Drawings

Please replace figures 5A, 5B, 5C, 5D and 5E with the enclosed replacement sheets.

Attachment: Replacement sheets for figures 5A, 5B, 5C, 5D and 5E.

REMARKS

Claims 1-51 are pending. Claims 3, 12-43 and 45 have been canceled. Claims 1, 4, 44 and 48-51 have been amended. Claims 52-64 have been added.

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Petition for Extension of Time

A petition for a 3-month extension of time and the extension of time fee is included with this amendment.

Applicant respectfully requests approval of this petition.

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Fees

It is not believed that any further fees are necessary at this time. However, in the event additional fees are required, Applicants authorize the Commissioner to take any necessary fees, including those under 37 CFR 1.16 and 1.17, from deposit account 50-0913.

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A Brief Review of One Embodiment of Applicants' Invention

In one embodiment of Applicants' invention, a reel device includes a chassis that is configured to support the reel device and a reel structure attached to the chassis. The reel structure has a hub and a frame. The frame defines the periphery of the reel structure. The periphery of the reel structure has media that is adapted to display a symbol to the game player. The reel may have a board attached to the chassis and several light emitting diodes positioned on the board. The light emitting diodes can have different densities on different portions of the board. The light emitting diodes are adapted to transmit light to at least a portion of the media. (see figures 2-4 and pages 8-12).

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In another embodiment of Applicants' invention, a method of awarding prizes is disclosed. The method includes providing a mechanical spinning wheel that rotates about an axis. The wheel has translucent media. The wheel has a board mounted inside with several light emitting diodes positioned on the board. The light emitting diodes can have different densities on different portions of the board. A game outcome is determined. The wheel is rotated and at least a portion of the light emitting diodes are illuminated. The wheel is stopped and a prize is awarded to a game player if the game outcome is a winning event. (see figures 2-4 and pages 8-12).

10 **Election/Restriction**

Applicants have elected to prosecute the invention of Group I, claims 1-10 and 44-51. Applicants reserve the right to file divisional applications on the unelected inventions of Groups II, III and IV.

15 **Drawing Objection**

The drawings were objected to as having inconsistent labels. Accordingly, corrected replacement drawing sheets are enclosed for figures 5A-5E. Withdrawal of the drawing objection is respectfully requested.

20 **Claim Objections**

Claims 1-11 were objected to because of several informalities. The claims have been amended to correct the informalities. Withdrawal of the claim objection is respectfully requested.

Rejection under 35 U.S.C. § 112

The Office rejected claim 48 under 35 U.S.C. §112 as being indefinite. Claim 48 has been amended to more clearly recite the invention. Withdrawal of the 112 rejection is respectfully requested.

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Rejection under 35 U.S.C. § 102(b) and 103(a)

Claims 1, 2, 44, 45 and 48-51 were rejected under 35 U.S.C. §102(b) over Sunga (U.S. Patent 6,206,781). Sunga discloses a game machine with reel light control means.

10 Claims 3, 5, 6, 9, 46 and 47 were rejected under 35 USC 103(a) as being unpatentable over Sunaga in view of Haruta (JP 2001-353255). Haruta discloses a game machine with light emitting diodes.

Claim 4 was rejected under 35 USC 103(a) as being unpatentable over Sunaga in view of Ikeda (JP 2001-087458). Ikeda discloses a game machine with light emitting diodes.

Claims 7 and 8 were rejected under 35 USC 103(a) as being unpatentable over Sunaga.

15 Claim 10 was rejected under 35 USC 103(a) as being unpatentable over Sunaga in view of Haruta (JP 2001-353255).

Applicants respectfully traverse these rejections.

None of the cited references teach, disclose or suggest as in amended independent claims 1 and 44 and new claim 56, a gaming device that has a reel that is lighted by light-emitting diodes that are more densely spaced in one portion of a board, than on another portion of the board.

The office action recites in the rejection of claim 3 that the selection of the pattern of light emitting diodes is an obvious design choice. No references are cited. The rejection of

claim 3 further discusses Haruta as having different sized matrices of diodes on different reels but does not show different densities of diodes on the same reel.

Because no references have been cited with regards to light emitting diodes being more densely spaced in one portion of the board, than on another portion of the board, it appears that the examiner is relying on personal knowledge in this instance. If personal knowledge is being used in this rejection, the examiner is respectfully requested to provide an affidavit in support of each of the statements made of obviousness and being well know that were made in the present office action as required under 37 CFR 1.104(d)(2).

Applicants submit that the use of variable density light emitting diodes in conjunction with a rotating reel and media is not an obvious design choice and that claims 1, 44 and 56 are allowable over the art of record.

The dependent claims depend from allowable independent claims and are allowable with the independent claims.

Applicants respectfully request the Office to withdraw the § 102(b) and 103(a) rejections.

Conclusion

For all of the above reasons, the Applicants submit that the present application is in condition for allowance. If the Examiner has any questions regarding the application or amendment, the Examiner is encouraged to call the Applicants' attorney at (775) 826-6160.

Respectfully Submitted,

/ian f burns/

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